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Letter dated 31 March 2003 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you the text of the specific commitments made by the President and Vice-President of the Republic of Burundi regarding the conduct of the second phase of the transition period, signed in Pretoria on 28 March 2003 (see annex).

I wish to draw your attention in particular to paragraph 6 of the section on political commitments, which reiterates the request made by the Transitional Government for the establishment of the International Judicial Commission of Inquiry and the International Criminal Court for Burundi.

I should be grateful for the circulation of this letter and its annex as a document of the Security Council.

(*Signed*) Marc **Nteturuye**
Ambassador
Permanent Representative

03-30407 (E) 030403 030403

Annex to the letter dated 31 March 2003 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

Specific commitments made by the President and Vice-President of the Republic of Burundi regarding the conduct of the second phase of the transition period

In the political field

1. To take all necessary political steps for the passage at the February-April 2003 session of the draft law on the punishment of crimes of genocide, war crimes and crimes against humanity.

2. To guarantee the basic balance between the two political-ethnic families, particularly at the highest levels of the Executive, during the integration of the armed groups in the transitional institutions, and to retain a President drawn from the G-7 and a single Vice-President drawn from the G-10 in order to ensure the co-governance prescribed by the Arusha Agreement.

3. To organize as soon as possible, on the basis of the Arusha Agreement, the debate on the electoral system and any other unresolved matter.

4. To ensure, in conformity with the Arusha Agreement (Protocol II, article 12, para. 2 (e)) and the Constitution (articles 4 and 6), the adoption of agreed measures to confront the consequences of acts committed in the past and avoid any recurrence of genocide, exclusion and impunity.

5. To combat and punish any act of terrorism or intimidation and any propaganda aimed at dividing citizens along ethnic or political lines.

6. From the start of the second phase of the transition period, to take all necessary steps to obtain the appointment by the United Nations Security Council of the International Judicial Commission of Inquiry and the International Criminal Court with a view to the prosecution and punishment of crimes of genocide, war crimes and crimes against humanity committed in Burundi between 1 July 1962 and 28 August 2000.

In the field of security

1. In consultation with the President of the Republic, the Vice-President shall be responsible, inter alia, for supervising the finalization of the negotiations on the ceasefire, the cantonment process, the integration of the rebels in the defence and security forces, the disarmament and demobilization processes, and the reintegration of the demobilized elements in social and professional life.

2. Without prejudice to the provisions of the Constitution, the Vice-President of the Republic shall countersign all texts and documents on security matters.

3. From the start of the second phase of the transition period, to take all necessary steps in respect of the region, the mediation process and the international community to obtain the prompt implementation of a comprehensive and lasting ceasefire.

To that end, inter alia, to call for the political disqualification of the Parti pour la libération du peuple hutu (PALIPEHUTU)-Forces nationales de la libération (FNL) and the imposition of sanctions, should this armed group persist in following the path of violence.

4. Any change in the defence and security structures and in their leadership shall be jointly agreed by the President and the Vice-President of the Republic.

5. To give political support to the national army, to maintain and, if necessary, increase the financial resources allocated for security as long as the war continues.

6. Efforts to correct the imbalances within the defence and security forces by integrating the armed groups and recruiting other citizens shall respect the agreed proportions of 50 per cent Hutu and 50 per cent Tutsi.

In conformity with article 198 of the Constitution, the imbalances within the defence and security forces shall be corrected gradually over a period dictated by the actual peace and security conditions.

Done at Bujumbura, on 28 March 2003.

(*Signed*) Domitien **Ndayizeye**
Vice-President and future President
of the Republic

Vice-President of the Republic

Witness
(*Signed*) Jacob **Zuma**
Vice-President of the Republic of South Africa
Facilitator

United Nations S/2003/394*

Security Council

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5 May 2003
English
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I wish to draw your attention in particular to paragraph 6 of the section on political commitments, which reiterates the request made by the Transitional Government for the establishment of the International Judicial Commission of Inquiry and the International Criminal Tribunal for Burundi.

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(*Signed*) Marc **Nteturuye**
Ambassador
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* Reissued for technical reasons.

03-30407* (E) 050503 050503

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